

Art Hazards Cover Letter

December 12, 2003

Thank you for contacting the Office of Environmental Health Hazard Assessment (OEHHA) regarding art and crafts materials.

California Education Code Section 32064 prohibits schools from ordering or purchasing any product that contains toxic or carcinogenic substances for use in grades K-6. The law also restricts the purchase of such products in grades 7-12, allowing the use only if the product bears a label informing the user of the presence of hazardous ingredients, the potential health effects, and instructions for the safe use. This restriction applies whether or not the product is included on the list of unacceptable art and crafts supplies (Education Code Section 32065).

OEHHA is required to develop a list of art and crafts materials "which cannot be purchased or ordered" for use in kindergarten and grades one through six (Education Code section 32066). Accordingly, we are providing you with a list of unacceptable products -- those that "cannot be purchased or ordered." These products are listed in the Arts and Creative Materials Institute's (ACMI) April 17, 2003 list of products that require a "Health Label/Caution Required Seal".

Additionally, we may include products that have been recalled as reported by the US Consumer Product Safety Commission.

In addition to using this list to determine which products cannot be purchased, we suggest that you inform the purchasers of school supplies that in order to comply with Education Code 32064 they must be sure that the materials they purchase are from manufacturers who will assure that their products are in compliance with both Health and Safety Code Section 108500 et seq. and Health and Safety Code Section 25249.5 et seq.

Health and Safety Code Section 108500 et seq. regulates the warning labels that are required on art or crafts materials; Health and Safety Code Section 25249.5 et seq. is the Safe Drinking Water and Toxic Enforcement Act of 1986, otherwise known as Proposition 65. Proposition 65 requires warnings for chemicals known to the State of California to cause cancer or reproductive harm. If your purchasers cannot obtain assurances from the manufacturers that the products they purchase are properly labeled, they may wish to seek alternative suppliers.

We solicit the aid of school administrators and educators in updating the list of unacceptable materials by encouraging them to inform us of any products that bear health warnings, so that we may include those products in our updates of the list of unacceptable materials. If you wish to provide us with information, please contact Laurie Monserrat at 1001 I Street, P.O. Box 4010, Sacramento, CA 95812. Email: lmonserr@oehha.ca.gov

If your purchasers would like a list of products that are certified as properly labeled and non-toxic, they can contact ACMI and request the list of certified non-toxic art and crafts supplies. ACMI's address is 1280 Main St 2nd Floor, PO Box 479, Hanson, MA 02341. Phone: (781) 293-4100. Web address: <http://www.acminet.org>

Please feel free to give our office a call at (916) 324-2829 if you have any questions.

Sincerely,
Laurie Monserrat
